

**Notice of Allowability**

Application No.

09/893,596

Examiner

Kirsten S. Apple

Applicant(s)

BIONDI ET AL.

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3693

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/2/2007.
2. ☒ The allowed claim(s) is/are 1-10, 12-23, 25-36 and 38-40, 42-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____  |

### **DETAILED ACTION**

This communication is in response to amendment filed 2/2/2007.

### **Response to Amendment**

The amendments include:

Amended claims: 1, 14, 27 & 40

Canceled claims: 11, 24 & 37

Non-changed claims: remaining of 1-48

Allowable Claims: 1-10,12-23,25-36 and 38-48

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears on the attached sheet written by the attorney, Jason Chang dated May 3, 2007. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason Chang (Reg. No. 58,092) on 4/25/07. The change consisted on changing "tax lot" to "lot" in every claim it appears. Jason Chang faxed this examiner amendment to Examiner Kirsten Apple's efax on 4/25/07 and are attached for the record.

### **Reasons for Allowance**

The following is an examiner's statement of reasons for allowance:

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to teach or suggest the limitation of independent claims. The Applicant has claims

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a method and system for evaluating multiple accounts for tax implications and savings based upon trading proposals.

Independent claim 1 discloses a method for generating a trading proposal based on at least a selection criterion to evaluate a lot of single securities across a plurality of investor accounts.

Independent claim 7 discloses a method computing gain/loss and tax liability information for each lot, applying at least one selection criterion for each plurality of investor accounts.

Independent claim 14 discloses an article of manufacture generating a trading proposal based on at least a selection criterion to evaluate a lot of single securities across a plurality of investor accounts.

Independent claim 27 discloses a system for generating a trading proposal based on at least a selection criterion to evaluate a lot of single securities across a plurality of investor accounts.

Independent claim 40 discloses a method for generating a trading proposal based on at least a selection criterion to evaluate a lot of single securities across a plurality of investor accounts.

The following prior art references have been deemed most relevant to the allowed claim(s):

Wellman (US Pat. 6,161,098) teaches a method to manage taxable events within a portfolio. The method is for multiple securities in one account not one security over multiple accounts.

Frank et al. (US Pat. 6,240,399 B1) teaches a system for optimizing investment location. This involves optimizing one investors ending after-tax asset accumulation, which is the ultimate objective of the investor.

Wellman (PCT WO 99/46658) teaches a method for managing a portfolio of securities on a cost effective basis. Giving control over the tax effect of purchases or sales of securities comprising the portfolio, including necessary information to manage unwanted taxable effects due to discretionary sales transitions.

Claims 1-10,12-23,25-36 and 38-48 are allowed because Wellman, Frank et al., and Wellman references as discussed above as the Closest Prior art of record fails to teach or suggest a method of **generating a trading proposal based on at least a selection criterion to evaluate a lot of single securities across a plurality of investor accounts**. In particular evaluating the one security over multiple investor accounts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa

 5/14/07  
JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600